



**PARK CITY COUNCIL MEETING MINUTES- DRAFT**  
**SUMMIT COUNTY, UTAH**  
**May 14, 2015**

**CLOSED SESSION**

To discuss Property, Personnel and Litigation

**WORK SESSION**

**Council Questions and Comments and Manager's Report**

Council member Matsumoto attended Planning Commission. Thanked Mark for the Council dinner.

Council member Simpson also thanked Mark for hosting the Council dinner. She sent a shout out to the Library Staff and everyone who is helping.

Council member Henney sent kudos to the Water Department for their prompt response to resident concerns and breaks. Attended the Recycle Utah meeting where they discussed holding functions in the new Library space.

Council member Beerman stated that public input for Mountain Accord ended May 1<sup>st</sup> and the highlights were the last third comments were middle based with a solid thread regarding preservation as well as doing nothing was not an option. These comments were from Wasatch Front and Back. Council member Henney inquired about the opening of Guardsman pass year round without the transportation piece. Beerman stated that there will be a study completed looking at the economic and community pieces.

Mayor Thomas also thanked Mark Harrington for hosting the Council dinner.

***Manager's Report***

***-Construction Project Update***

Craig Sanchez updated Council of the changes made since the report went out. They have moved to construction on the West side sidewalks due to a Questar project that was impacting the East side. He reiterated that the project would be complete by the Savor the Summit.

**City Manager's Recommended Budget - CIP Discussion**

Nate Rockwood and John Umbel spoke to the city manager's recommended budget. Budget was adopted, final budget will be adopted in June so now is the time to bring up any questions or ask for any adjustments to be made. Today they're presenting the 5-year CIP part of the budget. Also will show the Lower Park RDA model and walk Council through that so they have an understanding of the funding sources. CIP committee evaluates projected and ranks them based on 5 criteria: objectives, funding type, necessity, previous investment and cost/benefit. Acknowledges members of the CIP committee who are here and thanks them for all their work. Major projects in CIP: 5-year CIP has over 163 million in recommended funding that involves projects over a five-year time frame but it is evaluated every year. At the retreat council specified a critical priority of affordable housing. This budget addresses 31 million in recommended funding for affordable housing. They take all the input from the year, prioritize and put all factors into the budget. Council member Henney asks for clarification on the 163 million -- how much is new funding and how much has been carried forward and how the public would know. Rockwood explains how to tell the difference based on the reports. Council member Simpson asks for clarification on certain projects and what the numbers for them mean. Council member Beerman asks what

portion of 163 is carried forward. Rockwood says about half, so 80 million, is new funding and explains what is considered new funding in regards to bonds and water projects. Rockwood shows which projects are new recommended projects. Several projects of note are the traffic management cameras equal \$175,000, replacement of data back up system is \$100,000 and video storage array is \$40,000, McPolin Farm Preservation is \$800,000. Council member Simpson asks about the money for disc golf and Beerman asks about the location for it, to which Rockwood says they're still looking for a sufficient location. Council member Beerman asks about the irrigation efficiency improvements and if it would be wise to implement those sooner so as to see the savings sooner. Umbel explains ongoing CIP projects such as Parks irrigation system efficiency improvements and ice facility maintenance and efficiency upgrades. Council member Matsumoto mentions Ice is probably at 90% cost recovery and asks where the \$50,000 falls in regards to cost recovery. Rockwood says these maintenance costs will push their cost recovery further out. Rockwood asks for direction from Council on where they want Ice to be on cost recovery, especially before setting down any new plans for a new ice sheet, etc. Council member Beerman asks if budget could show the maintenance and upkeep costs separate so we can get a truer picture of where we're at with cost recovery. Rockwood discusses projects not recommended for CIP and how different funding sources were found for those projects. Rockwood then discusses the transfer from general fund projects, specifically mentioning the new funding added for soil repository of \$1.3 million, public art of \$225,000 and payment for snow storage lot of \$170,000. McPolin Farm Seismic upgrade will allow for the structure to come up to code while still retaining its original structure to allow for tours and people to visit but not to allow events and heavy usage to happen there. Affordable housing = \$31 million; over 25 M funded from Lower Park RDA and over \$5 M funded from additional resort tax. Additional resort communities sales tax originally designated as part of 10-year plan. Beerman questions the amount put aside for storm drain improvements; Rockwood says that amount is the correct amount originally adopted. Rockwood also addressed additional resort communities sales tax and how it can be a primary funding source for affordable housing. Rockwood reminded Council of the current bond and informed them of the upgrade into the double A rating, which is a huge positive for the City because it shows the city has enough money to run itself without bonding itself out by using future monies. Council member Beerman asks where we stand in regards to sales tax for fiscal year 2015. Rockwood says we're up 10%. Rockwood explains RDA funding for affordable housing vs attainable housing and how sales tax money can and can't be used for each. Lastly, Rockwood explains Lower Park RDA and how much money is contained there and how much is left in the fund after all approved projects are factored in. They will come back with a few changes in a few weeks but that summarizes the capital budget.

### **WaterSmart Update**

Jason Christensen, Water Business Resource Supervisor, and Brenda Wilde, Water Department, discussed the success seen with the Water Smart program. Christensen stated that there is 23% utilization rate of this program. Spoke to the measurable conservation actions that the users are able to self-evaluate. Christensen spoke to the Water Supply Outlook for 2015 stating that the snow pack is this at its lowest in years. Stated that the City is continuing to trend to the conservation goal that was set a few years ago. Christensen stated that the Water Team has been looking into building additional conservation tools to monitor irrigation. Discussed the WaterSmart contract stating that a three year extension would be \$125,000 and staff will bring back a contract to a future Council meeting.

### **Events Update**

Jason Glidden, Special Events and Economic Development Project Manager, Jenny Diersen, Special Events and Tommy Youngblood, Special Events, provided an update on the progress staff has had made since October, 2014 as well as the Special Events goals to prioritize events and reduce impact on Neighborhoods. Glidden discussed the Event Prioritization process stating that the purpose was to provide staff a tool to grade events based on the criteria of: economic impact, community impact, and City resources. Glidden spoke to the proposed code changes to add "Community Event" to the type of events allowed to enable small, local events. Also, adding language for Event approval to create additional criteria for denial based on the economic and cultural criteria. The last code change is related to fee waivers stating that the purpose is to provide clarity on the fee waiver process. Glidden stated that the changes would include the addition of other fee categories to include: building permit fees, Public Safety resources and trail fees. Glidden stated that the next steps will include: collection of City

services costs associated with Special Events and will continue to evaluate the application process as well as performance bonds. Staff will return to a future Council meeting with the proposed changes.

### **Old Town Toters Discussion**

Matt Abbott, Environmental Sustainability, spoke to the Old Town curbside collection stating that there have been a variety of contributing factors including geography, population, history, parking, construction and enforcement with the multiple violations. Abbott stated that there is a major obstacle with the enforcement as to linking the responsible party to the toter stating that the strategy is to chip the bins and mark with paint pens to id each bin. Abbott spoke to the cost of Bear proof bins stating that with the low bear population and the high cost of the bear proof bins he would not suggest moving in that direction. Abbott spoke to the glass contamination problem in Old Town and emphasized education. Council member Beerman spoke as an Old Town resident and the problem where orphan cans litter the streets. Council was split with the priority of this issue. Council member Simpson expressed the concern of the limited amount of space in Old Town and would not support looking outside the budget cycle for the funds. Council member Henney is in favor of a robust discussion but would like to look at this as a high priority reminding Council that last budget cycle we had extra funds and it is likely that they will have extra funds this year as well and feels that this would be a good area to spend some of those funds. Council member Matsumoto is afraid that unless enforcement is ramped up this won't solve the problem. The Majority of Council would like to see staff look into funding this during this budget cycle and they would also like to have a robust discussion regarding bin size and recycling options.

### **Sundance Economic Report**

Sarah Pierce with Sundance Institute discusses the economic impact on the state. The Institute is a non-profit whose mission is to discover and support artists and filmmakers and provides a venue for smaller artist. Pierce outlined the ways they measure success to include: highest quality film selection, audience attendance, press, partner engagement, post-event surveys, both filmmaker and audience, operational excellence and getting artist's work seen beyond January. Total revenue for this year was:\$83,425.834.Reports lodging, food and beverage and retail sales went up substantially this year. States \$6.9 million goes to the state and local tax revenue. Demographics: 80% are college graduates and are higher wage earners; also noticed a measurable younger audience this year. Over 9,000 visitors said this was their first visit to Utah and would be more than likely to return. Mentioned this year was the first the Utah Life Elevated logo was printed on the up and step banners. Over 3,000 international visitors. Pierce discusses community enrichment impacts on the state such as free programming for Utah residents and spreading out film venues over four cities. .

## **REGULAR MEETING**

- I. **ROLL CALL-** Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 14, 2015. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Marci Heil, City Recorder; Karen Anderson, Deputy City Recorder

## **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

Matt Dias and Anya Grahn spoke to the Daly-West mine shaft collapse. Dias stated that staff is working with property owners and will be taking the extra precaution to put up a tall chain link fence to protect life safety. Dias stated that the evening prior to the collapse the contractor was in discussions of a contact approval.

Council member Henney recused himself on the consent agenda as a voting member of the Mountain Trails.

Council member Beerman disclosed that he is a subcommittee member.

### **III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)**

Rory Murphy addressed the Rio Grande building and the controversy stating that once they removed the siding they found that the planks were cut off and found a pole barn structure. Rory turned the floor over to Chimso Onwuegbu who explained the multiple problems including the interior and the roof which was rotted out and was not sturdy enough to brace and attach to the historic structure. Rory confirmed that he is in favor of the legal review as they did not step one step out of the plan. Council thanked Rory for coming and speaking to this matter.

Sandra Morrison, Park City Historic Society and Museum, thanked Anya for keeping her association apprised of the Daly-West mine collapse. Morrison stated that she took her structural engineer up to view the structure who feels that the top half looks to be in good shape and feels that it can be preserved. She encouraged JSSD to preserve the structure as it is on the Historic Register.

Tom Clyde spoke to the Daly-West collapse, he appreciated the update from staff but is concerned that staff is not committed to putting the structure back in its original form. Stated that JSSD put a construction fence up during the winter which speaks to the fact that someone was aware this derrick was falling over. Stated that it seems to be the City's position to allow demolition by neglect as we have seen in the case of the California Comstock mine stating that this is what makes us unique and makes Park City, Park City. Foster stated that staff is completely clear that the goal is historic preservation. Peek spoke to the staff time spent on the California Comstock as well. Mayor Thomas spoke to the passion of preservation. Beerman asked for an update on the mining icons on the Historic Sites inventory. Matsumoto stated that it is always best to work cooperatively but feels the City could do more to work with the owners.

Eric Nelson stated that he got a preview of the 205 Main Street report from Planner Francisco Astorga who did a great job presenting the information but he disagrees with what was said. Spoke to the vertical zoning ordinance and how this project has slipped through the cracks, to do something to upper Main Street to revitalize the area. Feels this is very unfortunate and would hope that the Council will use this as a learning tool.

Lynn Ware Peek spoke to the terrible striping for the bike lanes stating that it is a safety issue as well as the monstrous pot holes. Heinrich stated that the Streets department has the contract in place and the contractor is waiting for the temperatures to rise for the paint to cure.

### **IV. CONSENT AGENDA**

1. Consideration of a contract with Mountain Trails Foundation (MTF), for backcountry trail maintenance services on the Park City public trail system in an amount, not to exceed twenty five thousand dollars (\$25,000) annually, in a form approved by the City Attorney.

**Council member Simpson moved to approve the consent agenda  
Council member Peek seconded**

**Approved unanimously**

**V. NEW BUSINESS**

1. Consideration of the 2014 Historic Preservation Award to Garage located at 101 Prospect Avenue.

Mayor Thomas spoke to the priority of the Historic Preservation of the community. Anya presented the award to the owner of the Garage located at 101 Prospect Ave.

2. Consideration of Park Avenue Walkability Improvements contract with B. Jackson Construction for Nine Hundred Sixty Thousand Four Hundred Eleven Dollars 80/100. (\$960,411.80).

Heinrich spoke to the Park Avenue Pathway phase I to complete the pathways on the Dan's to Jan's corridor. Spoke to the utility coordination with water, gas and City fiber during the construction on the West side. The project will be completed by November, 2015. Reminded Council of the future budget cycle operations and maintenance on this project.

**Council member Simpson moved to approve the Park Avenue Walkability Improvements contract with B. Jackson Construction for Nine Hundred Sixty Thousand Four Hundred Eleven Dollars 80/100. (\$960,411.80).**

**Council member Beerman seconded  
Approved unanimously**

3. Consideration of an Ordinance Approving Amendments to the Land Management Code Revising Chapter 2.24: Transfer of Development Rights (TDRs).

Kirsten stated that the Planning Staff is working on the annual update of the LMC to align the code with the State Code address the goals of General Plan as well as addressing inconsistencies. These particular amendments are to address the Transfer of Development Rights. The Planning Commission conducted a public hearing and forwarded a positive recommendation. Whetstone stated that she included the minutes from the Planning Commission meeting as they and the public had interesting ideas for future use. Discussed TRD's and multipliers, Harrington admonished the Council to fully understand this change as there is not a pending application they can continue to another meeting for further discussion and examples.

**Public Hearing-**

Mike Sweeny spoke to the sending zone that he has interest in regarding the 1 to 1 valuation as the only way it will work. Asked the City Council to look at Bonanza Park as a sending zone due to the density in that area. Would suggest that the Council take time to really look at this to create a tool that will actually work.

Harrington stated long term for this to really work Council would need to remove the height restrictions in the MPD and the system will work and be trusted with simple,

straight forward math. Council agreed that the Planning Commission should include that in their future discussions about TDR's.

Following Harrington's clarification Simpson moved to approve the Ordinance. Motion Failed.

Discussion continued. Beerman asked Peek and Thomas as former Planning Commission members if they were comfortable with this change as a stand-alone. Council requested staff bring this back to a meeting in the near future for further discussion and understanding. Mayor Thomas stated that it is good intention to pull the density off the proposed areas but he is concerned with the receiving side. Feels that it does need a little more clarity. He stated he likes the definition of "platted lots" not "Old Town lots".

**Council member Peek moved to approve to continue to June 25, 2015**  
**Council member Matsumoto seconded**  
**Approved Unanimously**

4. Consideration of the Land Management Code Amendments Regarding Setbacks for Patios and Hot Tubs in HRL, Chapter 2.1, HR-1 Chapter 2.2, HR-2 Chapter 2.3, and RC Chapter 2.16.

**Public Hearing-none**

**Council member Simpson moved to approve to Continue to June 25, 2015**  
**Council member Beerman seconded**  
**Approved unanimously**

5. Consideration of the 205 Main Street Plat Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney.

**Public Hearing**

Mike Sweeny stated that he was part of the 2006 Ordinance regarding revitalizing Main Street and is very surprised that this fell through the cracks.

**Council member Peek moved to approve to Continue to May 28, 2015**  
**Council member Henney seconded**  
**Approved unanimously**

## **VI. ADJOURNMENT**

**Council member Peek moved to adjourn**  
**Council member Simpson seconded**  
**Approved unanimously**

